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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined second and third periodic reports of Serbia

Addendum

Information provided by Serbia in follow-up to the concluding observations*

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Note: The present document is being circulated in English, French and Spanish only.

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Introduction

1. The delegation of the Republic of Serbia presented the second and third periodic report on the implementation of the Convention at the fifty-fifth session of the Committee on the Elimination of Discrimination against Women, in July 2013, in Geneva. In accordance with recommendation No. 44 from the concluding observations of the Committee (CEDAW/C/SRB/CO/2-3) relating to the obligation of the Member States to deliver written information within two years of presenting the periodic report on the steps taken for implementation of recommendations Nos. 17 and 23 (a), (c), (d) and (e), the Republic of Serbia informs the Committee on the implementation of these two recommendations.

Recommendation No. 17

(a) The Committee calls upon the State party to allocate substantial and sustained resources, both human and financial, to all national strategies, mechanisms and action plans aimed at elimination of discrimination against women, especially disadvantaged women and to ensure their effective implementation.

Financial resources

2. The National Strategy for Improving the Position of Women and Promoting Gender Equality (2010-2015) is the first strategic document of the Republic of Serbia concerning gender equality. In addition to this strategy, several other important strategic documents related to improving the position of women have been adopted: National Strategy for Prevention and Elimination of Violence against Women in the Family and in Intimate Partner Relationships (2010-2015), the National Action Plan for the Implementation of Security Council Resolution 1325 on women, peace and security in the Republic of Serbia (2010-2015), Strategy for Prevention and Protection against Discrimination (2013-2018) and the Work Plan of the Coordination Body for Gender Equality for 2015. Also, at the level of the Autonomous Province of Vojvodina, the Programme for Protection of Women against Domestic and Intimate Partner Violence and other forms of gender-based violence in the Autonomous Province of Vojvodina (2015-2020) has been adopted.

3. Resources for realization of these strategies, action plans and programmes will be provided from the budget of the Republic of Serbia, Autonomous Province of Vojvodina, local government units and donors. Programme budgeting system for beneficiaries of the budget of the Republic of Serbia was adopted by the Law on the Budget of the Republic of Serbia for 2015 and the Decision on budget funds of the local governments for 2015. In the Autonomous Province of Vojvodina budget for 2015, within transfer to budget programming, an attempt was made to introduce gender analysis into the budget process by defining gender indicators, which is an important step towards integrating gender equality into budget processes.

4. In the period between 2010 and 2015, resources intended for the work of the Gender Equality Directorate/Department for Promotion of Gender Equality of the Ministry of Labour and Social Policy in the amount of 3.5 million dinars were intended for activities concerning implementation of the National Strategy for Improving the Position of Women and Promoting Gender Equality and the National

Strategy for Prevention and Elimination of Violence against Women in the Family and in Intimate Partner Relationships. Donor funds of the Swedish International Development Cooperation Agency and the Government of the Kingdom of Norway for strategic documents implementation projects in that period amounted to EUR 1,526,340.

5. Resources for realization of the National Action Plan for the Implementation of Security Council Resolution 1325 were not provided in the budget of the Republic of Serbia in the period of its realization (2010-2015). On an annual basis, competent government authorities involved in the implementation of that plan create activity plans for realization of defined objectives and redistribute costs from the available resources projected for education, representation and business travels, to carry out the projected activities. For comprehensive project activities carried out in the context of National Action Plan for the implementation of Security Council Resolution 1325, mostly in the Ministry of Defence and the Ministry of Interior, the financial support was provided by certain international organizations, such as the UN-Women, United Nations Development Programme/South Eastern and Eastern Europe Clearinghouse for the Control of the Small Arms and Light Weapons, Organization for Security and Cooperation in Europe, foreign foundations and some European Union member States.

6. The required resources for realization of the Action Plan for implementation of the Strategy for Prevention and Protection against Discrimination (2014-2018) amount to RSD 4,034,508,660, with RSD 2,001826,083 of that amount provided from the budget of the Republic of Serbia, while RSD 2,032,686,577 is planned from donor funds. Donor funds amounting to RSD 1,733,686,577 have been provided to this date. For realization of the Programme for protection of women against violence in domestic and intimate partner relationships and other forms of gender-based violence in the Autonomous Province of Vojvodina (2015-2020), the amount of RSD 7,300,000 was allocated in the Autonomous Province of Vojvodina budget. Support for civil society organizations, including the area of gender equality, is provided by project financing from the budgets of the Republic of Serbia and the Autonomous Province of Vojvodina.

Human resources

7. For implementation of the National Action Plan for the Implementation of Security Council Resolution 1325, an institutional structure was created, consisting of specially formed bodies and mechanisms for gender equality, with the inclusion of human resources from the competent authorities of the State administration, academic community, media and the civil society organizations. Representatives of certain State administration authorities engaged in the Government's Political Council, Multi-sector coordination body of the Government, as advisers of ministers/directors for gender equality, in analytical groups and research teams and within mechanisms of gender equality "persons of trust" — carry out activities projected by the National Action Plan along with their regular duties, without additional financial compensation. The only exception is the adviser for gender equality of the deputy director of the Customs Administration of the Ministry of Finance, who was given a specially systematised position.

8. The Coordination Body for Gender Equality receives expert administration and technical support from the Cabinet of the Vice-President in charge of

construction, transportation and infrastructure — expert service consisting of three professional advisers for gender equality and the cabinet of the minister without portfolio responsible for European Integration. Four advisers are employed in the Office for Human and Minority Rights. Sector for Gender Equality of the Provincial Secretariat for Economy, Employment and Gender Equality consists of four persons, i.e. of three permanently employed independent expert associates and an assistant of the provincial secretary responsible for the area of gender equality.

9. At the local level, in two thirds of municipalities, authorities are chosen that are responsible for gender equality matters, while in a number of municipalities (one third) there are specially appointed persons for gender equality.

(b) The Committee calls upon the State party to take measures to harmonize its national strategies and action plans, in particular with those at the local level, and to enhance coordination between sectoral policymaking and implementation and horizontal and vertical coordination between the national and local levels, as well as to monitor and regularly evaluate the process of their implementation through reporting on progress achieved.

Institutional framework

10. On 30 October 2014, the Government, in accordance with article 10 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), formed the Coordination Body for Gender Equality with the objective to discuss all matters and coordinate the work of State administration bodies related to gender equality. The current activities of this body are directed to the creation of new law on gender equality and national strategy in this area for the period 2016-2020.

11. In accordance with the recommendations from the second cycle of the universal periodic review undergone by the Republic of Serbia on 30 January 2013, the Government established the Council for Monitoring the Implementation of the Recommendations of the United Nations Human Rights Mechanism on 19 December 2014. The members of the council are representatives of competent State authorities, while representatives of independent State bodies for protection of human rights and relevant civil society organizations also participate in its work.

12. The Council of the Republic of Serbia for monitoring realization of the Action Plan for Implementing the Strategy for Prevention and Protection against Discrimination, for the period 2014-2018 was established on 13 August 2015. The task of the council is to monitor progress in execution of measures, implementation of activities, respecting planned deadlines and to timely inform on implementation challenges.

13. The following are the institutional bodies for carrying out the National Action Plan for the Implementation of Security Council Resolution 1325: the Government's Political Council, Multisector coordination body of the Government and analytical groups and research teams established in the Ministry of Defence and the Serbian Armed Forces, Ministry of Interior, Ministry for Foreign Affairs, Customs Administration of the Ministry of Finance, Directorate for Execution of Criminal Sanctions of the Ministry of Justice and the Security Information Agency, adviser for education of vulnerable groups and matters pertaining to education in the area of gender equality in the Ministry of Education, Science and Technological

Development, advisers of ministers/directors for gender equality in the competent authorities of State administration, gender equality mechanism "persons of trust," Commission of the National Assembly for monitoring implementation of the National Action Plan for the Implementation of Security Council Resolution 1325, the so-called independent monitoring (consisting of civil society organizations, representatives of the academic community and media), and the mechanism of gender-responsible budgeting, which has only been established in the Ministry of Defence to this date. Analytical groups and research teams are horizontally networked and they realize joint education and operational and institutional cooperation, and the need is currently considered to also establish such institutional bodies in other departments.

Harmonization of national strategies and action plans

14. It is strategic orientation of the Republic of Serbia that action plans for European Union accession represent umbrella strategic documents harmonized with all sectorial strategic documents. After the adoption of the action plan for the Negotiation Chapter 23 that also includes protection of women against discrimination, the document will represent umbrella strategic document with clear monitoring mechanism, precise deadlines and clear financial projections.

15. On 19 February 2015, the Government accepted the Report of the Political Council for carrying out the National Action Plan for the Implementation of Security Council Resolution 1325 for the period 2011-2013 containing the following conclusion: "Revise strategic areas of the National Action Plan for Improving the Position of Women and Promoting Gender Equality for the period 2009-2015 and the Action Plan for its implementation in the period between 2010 and 2015 and the National Action Plan for the Implementation of Security Council Resolution 1325, and include a new strategic area into one of them — Women in the Security Sector, to make its implementation more comprehensive and in accordance with other activities related to gender equality in the society."

16. The Work Plan of the Coordination Body for Gender Equality for 2015 projects advancement of legal and strategic framework in the Republic of Serbia and ensuring international standards implementation in preserving principles of gender equality, strengthening position of women in the area of economy, and numerous activities for prevention and elimination of violence against women.

(c) The Committee calls upon the State party to adopt gender-specific measures in current and new national strategies and action plans to prevent and eliminate inequality and intersectional discrimination with regard to disadvantaged women.

17. Specific measures in the Action Plan for implementing the Strategy for Prevention and Protection against Discrimination related to women include revising and implementation of all strategic documents related to the position of women. Harmonization of regulations is also planned for harmonizing legal framework of the Republic of Serbia with international standards for preventing discrimination and for consistent implementation of relevant international documents, ratified international agreements and adopted laws, bylaws, strategies and action plans related to nine vulnerable groups including women.Plans for expert training for judges, prosecutors and others persons employed in the judiciary in relation to preventing discrimination, international

standards, provisions of the Convention on the Elimination of All Forms of Discrimination against Women and the Istanbul Convention, practice of international independent mechanisms for protection of human rights and treatment and communication of persons employed in the judiciary with the members of vulnerable groups.

18. Programme for protection of women against domestic and partner violence and other forms of gender-based violence in the Autonomous Province of Vojvodina (2014-2020) contains the code for gender-sensitive media coverage. The Policy paper for economic empowerment of women who suffered violence in domestic or partner context and the Programme for improving prevention and protection of women from marginalized groups against violence in intimate partner relationships.

(d) The Committee calls upon the State party to accelerate the development of indicators and benchmarks as an integral part of a monitoring and evaluation system and to ensure their regular use to measure progress and address setbacks in the improvement of the situation of women.

19. The Social Inclusion and Poverty Reduction Unit of the Government in cooperation with the Coordination Body for Gender Equality and UN-Women with the support of the Republic Secretariat for Public Policies has completed the evaluation process of the implementation of the National Strategy for Improving the Position of Women and Promoting Gender Equality. Also, the Report on the Implementation of Strategy for Improvement of the Position of Roma (2009-2015) was drafted. In the new strategy on Roma inclusion, which is in the stage of preparation, special attention will be devoted to gender equality. The Unit prepares the Draft of the Gender Equality Index with the Coordination Body for Gender Equality, the Statistical Office of the Republic of Serbia and experts from the European Institute for Gender Equality.

20. In December 2014, the Statistical Office published its fourth publication "Women and Men in the Republic of Serbia". Statistical indicators on the representation of women and men in the security sector were published for the first time in this publication.

21. Analytical group of the Ministry of Defence and the Serbian Armed Forces for analysing implementation of the National Action Plan for the Implementation of the Security Council Resolution 1325 uses 74 gender sensitive indicators in monitoring the achieved results of that plan.

22. Multisector coordination body of the Government for implementation of the National Action Plan for the Implementation of Security Council Resolution 1325 completed the process of internal evaluation of that plan on 29 October 2015, in accordance with its competence. Organization for Security and Cooperation in Europe Mission to Serbia and the Institute for Inclusive Institute from the United States of America are involved in the process of National Action Plan external evaluation. After the completed evaluation, specially appointed government working group will start with the revision of the National Action Plan for the following five-year period of implementation of this plan in the Republic of Serbia.

Recommendation No. 23

(a) The Committee urges the State party to review and revise the Criminal Code, the Family Code and other relevant laws with a view of effectively preventing all forms of violence against women and protecting victims.

23. The Work Plan of the Coordination body for gender-equality for 2015 also projects creating proposals for changes and amendments to regulations in the Republic of Serbia related to gender equality and harmonization of national legislation with the European Union acquis and confirmed international agreements, including the Istanbul Convention. In this respect, the harmonization of the Family Law and the Criminal Code regarding the definition of the family will be first approached.

24. On 21 May 2015, the relevant ministers (of the Ministry of Interior, Ministry of Justice and Ministry of Labour, Employment, Veteran and Social Affairs) discussed the current escalation of domestic violence and agreed to form a team that will suggest amendments to the relevant laws to overcome the issues and enhance prevention and protection in this area.

(c) The Committee urges the State party to ensure effective investigation of cases of violence against women and to prosecute and punish perpetrators of such crimes with sanctions commensurate with the gravity of the crime.

25. With regard to the investigation of cases of violence against women and issuance of emergency protection order, protection of women is envisaged by the Criminal Code, the Family Law and the Criminal Procedure Law.

26. In its work, public prosecution acts in accordance with the General Protocol for Action and Cooperation of Institutions, Bodies and Organizations in the Situations of Violence against Women within the Family and in Intimate Partner Relationship and the Special Protocol for Judiciary in the Cases of Violence within the family and in intimate Partner Relationship of 14 January 2014.

27. Appellate public prosecutors deliver to Republic Public Prosecutor's Office aggregated quarterly reports on handling cases of domestic violence referred to in Article 194 of the Criminal Code and other criminal offences with elements of violence, and thus monitor the work of public prosecutors in the cases belonging to this area. The Public Prosecution in cooperation with civil society organization continuously carries out trainings for public prosecutors and their assistants.

Annual overview of public prosecution conduct related to the criminal offence Domestic Violence from article 194 K3 for 2013 and 2014 according to the number of persons

	Number of reported persons	*Total number of rejected reports*	*Investigation*	*Number of charged persons*	*Prison*	*Monetary fine*	*Community service*	*Suspended sentence*	*Judicial admonition*	*Security measures*	*Total number of convictions*	*Acquittals*
2013	5 748	2 033	483	2 674	533	24	13	1 386	10	37	1 987	131
2014	6 436	3 277	316	1 897	442	19	11	1 252	3	13	1 740	112

(d) The Committee urges the State party to ensure that all women victims of violence have adequate assistance and unhampered access to effective protection from violence, including by ensuring a sufficient number of shelters funded by the

State and improving the cooperation with relevant non-governmental organizations in this respect.

28. The Republic of Serbia adopted the General Protocol for Action and Cooperation of Institutions, Bodies and Organizations in the Situations of Violence against Women within the Family and in Intimate Partner Relationship in 2011. Four special protocols were adopted for judiciary, police, social protection services and health services during 2013 and 2014.

29. Within the project for supporting the victims and witnesses carried out by the Republic Public Prosecutor, the Information Office for Victims and Witnesses started working at the Higher Public Prosecutor's Office in Belgrade on 10 April 2014. The objective of establishing this office is providing information to victims and witnesses related to their rights and obligations in the criminal procedure, with the aim of increasing effectiveness of public prosecution in regard to criminal cases on the one hand, and simplifying and approximation of the judicial systems to the citizens on the other hand. A special telephone line and e-mail address have been provided for the Information Office to allow easier communication with the citizens. It is planned to form such offices in the other three centres — Novi Sad, Niš and Kragujevac, and all other 25 higher public prosecutor's offices.

30. During January 2015 the Republic Public Prosecutor's Office signed a memorandum of understanding with the civil society organization "Victimology Society of Serbia" as one of the key partners in organizing support services for victims and witnesses. In this way, victims and witnesses will be sent to relevant organizations that provide support and help, and where the necessary services will be provided for the victims.

31. The working group for monitoring and coordination of activities of police in the cases of violence against women in family and intimate partner relationships was established in the Ministry of Interior, as well as a network of coordinators in all police departments (56). Guidelines for their work contain instructions on agreements that should be concluded by all relevant parties in the local government units. Statistical monitoring of activities related to domestic violence has been established and the obtained data will be delivered to the Serbian Parliament's Committee for Human and Minority rights and Gender Equality. The Handbook on preventing secondary victimization and enhancing gender sensitivity and procedures in cases of violence in family or in intimate partner relationships was created at the end of 2014.

32. In the Centre for Basic Police Training, legal framework is studied, which is related to domestic violence and actions to be taken in the cases of domestic violence and psychological and tactical approach to victims. During 2013 and 2014, training was realized for 2,000 representatives of all police departments for effective application of the Special Protocol for Police, while approximately 600 police officers attended the seminar "Domestic Violence and Institutional Protection". In 2014 training was carried out for coordinators of the activities for prevention and elimination of violence against women, related to enhancing techniques of interviewing using the so called PEACE method and training for assessing the risk of repeat victimization of domestic violence, on the basis of the so-called "SARA" model (14 police officers from larger police departments).

33. In the Republic of Serbia, out of 14 existing safe houses (for 160 persons) 12 are State-owned, while only 3 of them offer free accommodation, and 1 of the remaining 2, led only by women's organizations, only offer emergency accommodation.

34. The Work Plan of the Coordination Body for Gender Equality for 2015 includes mapping of capacities of existing services for violence against women, construction of three safe houses (South-West and East Serbia and Kikinda) adjusted to women with disabilities and women of different sexual orientation, creation of network of the existing safe houses, regulating minimal standards of accommodation in the safe houses and introducing a unique SOS number for supporting victims of violence against women.

(e) The Committee urges the State party to ensure that the relevant authorities are aware of the importance of issuing emergency protection orders for women at risk and of maintaining such orders until the women are no longer at risk.

35. From February to May 2014, the Social Inclusion and Poverty Reduction Unit of the Government, in cooperation with the civil society organization "Autonomous Women's Centre" and the Institute of Psychology at the Philosophical Faculty of the University of Belgrade carried out Qualitative research on effectiveness of mechanisms for combating violence against women at the national and local level.

36. The research was carried out in nine towns (Novi Beograd, Pančevo, Ćuprija, Kruševac, Leskovac, Niš, Bačka Topola, Sremska Mitrovica and Užice) with the participation of 199 experts.

37. The results were presented at the meetings of key institutions during which recommendations were formulated for improving systemic response to violence against women, domestic violence and protection of victims.

38. The Vice-President of the Government and president of the Coordination Body for Gender Equality supported the initiative of the "Autonomous Women's Centre" for introducing emergency protection measures for women victims into the Law on Police. The initiative was also delivered to the National Assembly with 2,500 signatures.

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